

**IN THE UNITED STATES BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE:)
BRADLEY J. YOUNG) **Bankruptcy No. 11-26777 JAD**
 Debtor) **Chapter 13**
))
BRADLEY J. YOUNG)
 Plaintiff,))
 v.) **Adversary No. 11-2606 JAD**
1200 BUENA VISTA CONDOMINIUMS,)
1200 BUENA VISTA UNIT OWNERS)
ASSOCIATION, CITY OF PITTSBURGH,)
COUNTY OF ALLEGHENY, and)
PNC BANK, N.A.)
 Defendants)

ORDER OF COURT

AND NOW, this _____ day of _____, 201_____, upon consideration of the Debtor's Motion to Approve Compromise of the Claim of 1200 Buena Vista Condominiums and 1200 Buena Vista Unit Owners Association ("Motion") which requests Court approval of a November 27, 2012 Settlement Agreement between Bradley J Young ("Young") and 1200 Buena Vista Condominiums and 1200 Buena Vista Unit Owners Association (collectively "Association"), and upon consent of the active parties in this Adversary Proceeding, Young and the Association, evidenced by the signature of their respective counsel below and all responses thereto, and after notice and hearing as is appropriate, it is hereby ORDERED, ADJUDGED and DECREED:

- 1) the Settlement, set forth in the Motion and the Settlement Agreement attached to the Motion as **Exhibit "1"**, is hereby APPROVED;
- 2) The Association holds an allowed secured claim, or lien, against the real property of Young at Unit "A" of 1200 Buena Vista Street, Pittsburgh PA 15212, together with a 37% interest in the common elements appurtenant thereto, commonly known as Block/Lot No. 23-N-41-01 ("Real Property") for \$12,500.00, only, on the petition date of Young, November 3, 2011 ("Petition Date");
- 3) Any funds received by the Association on its claim pursuant to Young's Chapter 13 Plans dated November 3, 2011 and April 27, 2012 shall be retained by the Association and credited to its allowed secured claim of \$12,500.00. The remaining, unpaid portion of the Association's allowed secured claim shall be paid in full, with six percent interest, pursuant to amended Chapter 13 plan to be filed by Young within fifteen days of the Bankruptcy Court approving this Settlement ("Amended Plan"). If and when Young pays the allowed secured claim of the Association in full and receives a Chapter 13 discharge, the

Association shall satisfy the Judgement in the Court of Common Pleas of Allegheny Count at AR No. 06-4601;

- 4) The remainder of the Association's claim of \$47,555.05, after deduction of its allowed claim secured claim of \$12,500.00, or \$35,055.05, is AVOIDED, declared null and void, as a lien on the Real Property. The Association holds an allowed unsecured, non-priority claim against Young for \$35,055.05 which represents the remainder of its claim after partial avoidance of the Association's claim;
- 5) The Association has an allowed, non-priority unsecured claim against Young on the Petition Date of \$35,055.05. The unsecured non-priority, claim of the Association shall also be paid pursuant to the Amended Plan on the same pro rata basis as other unsecured, non-priority creditors;
- 6) Within fifteen days of the Order approving the Settlement Agreement, Young shall file a Chapter 13 plan of reorganization which proposes the Association be paid according to the terms of this Order and the Settlement Agreement;
- 7) Nothing in this Order shall affect the claims of the City of Pittsburgh, County of Allegheny and PNC Bank, N.A., as no relief was ever requested against them in this Adversary Proceeding; and
- 8) This Order is null and void if this Bankruptcy is dismissed or converted to a Chapter 7 proceeding.

Jeffery A. Deller
United States Bankruptcy Judge

CONSENTED TO BY:

1200 BUENA VISTA CONDOMINIUMS AND
1200 BUENA VISTA UNIT OWNERS ASSOCIATION

BY: S. James Wallace

Its counsel, S. James Wallace, Esq.
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and

BRADLEY J. YOUNG

BY: /s/ Phillip S. Simon

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